SIXTH DAY—*18th June 1927.*

General Resolutions

Resolution No. 1.

MR. A. M. VENKATASAMIAH moved the following resolution :—

"That this Assembly recommends to the Government of His Highness the Maharaja that alluvial lands by the side of the rivers, improved and brought under cultivation by the neighbouring landholders be confirmed to such holders on recovery of one year's assessment from them at the time of re-survey as they will have spent large sums to bring the same under cultivation."

He added that during floods, portions of the previously existing lands would have been washed away and fresh alluvial lands formed with the result that the cultivators who lost on one side extended their holdings on the other. He complained that the revenue officers considered that the new additions amounted to encroachments and proceeded to auction out such newly formed lands. The member urged that instead of doing so, such lands be confirmed in the name of the cultivators after levying one year's assessment.

THE FIRST MEMBER OF COUNCIL observed that certain rules were framed under Sections 61 and 62 of the Land Revenue Code to meet such cases and that if there was anything wrong with those rules or if any modifications were considered necessary, the same might be brought to notice.

MR. VENKATASAMIAH observed that the rules were not being strictly observed.

THE DEWAN replied that the matter would be enquired into.

Several members brought to notice that in the case of newly formed lands, the revenue officers arbitrarily enhanced the assessment payable by the holders and that for non-payment of such assessment, the lands were in several cases brought to auction. They therefore requested the immediate issue of stay orders in all such cases.

THE DEWAN replied that inquiries would be instituted immediately.

Resolution No. 2.

MR. M. C. LINGE GOWDA moved the following resolution :—

" That this Assembly recommends to the Government of His Highness the Maharaja that 75 per cent of appointments in the State be ordered to be given to candidates representing backward communities instead of 50 per cent sanctioned in the Government Order passed on the Miller Committee Report."

In this connection, he referred to the new order that had been passed by the Government in the matter of the percentage of appointments that should go to the members of the backward communities in future. He pointed out that according to this order, until the limit of 50 per cent is reached, out of every four vacancies that arose, three should be given to the members of the backward communities, the fourth being filled up by merit, and that thereafter two in every three vacancies should be given to members of the backward communities, the third being filled up by merit.

Drawing the attention of the House to order on the Miller Committee Report which prescribed 7 years within which 50 per cent of the appointments should be held by members of backward communities, he said that although 6 years elapsed since the original order was passed, the candidates of backward communities held no more than 35 per cent of the total number of appointments. He did not expect that the difference could be made up in the course of the coming year. As a result of the original order he said that with the help of a number of charitably disposed gentlemen literacy had enormously increased among the backward communities and that the new order had caused despair in the minds of both the young men, some of whom had already passed out of High Schools and Colleges as well as their parents. He did not think that there were any weighty reasons nor any strong representations were received from any quarter for changing the existing orders so precipitately. Even if a modification of the existing order was urged, he thought that it was the duty of Government to have consulted the large number of people who were adversely affected by it. In these circumstances, the mover urged that not only the new order should be withdrawn for the present but that the percentage of appointments that should go to the candidates belonging to the backward communities should be raised to 75 ; and that in filling up vacancies each office

should be regarded as a unit as was being done in Bombay and Madras. He also suggested that in case no candidates from backward communities came forward for any appointment, it should be kept vacant for some reasonable time, until such an applicant was available. He was of opinion that the education given in the present-day schools was suitable only for Government service, which on that account had come to be considered as the goal of all students in general. If at such a time any changes prejudicially affecting the communities which had just begun to show signs of progress and awakening were passed, he feared that they would again lapse into ignorance and backwardness.

MR. S. C. MALLIAH seconded the resolution. He said that the order on the Miller Committee Report applied only to posts carrying not more than Rs. 100 which were meant to go to Non-Brahmins exclusively until the ratio of 50 per cent was reached.

THE DEWAN observed that the Brahmins were as much the subjects of the State as any others and that they should also get a fair share of the appointments. So far as the others were concerned, their interests were protected fully so long as three in every four vacancies were ear-marked for them.

MR. MALLIAH, referring to the appointments made by the Deputy Commissioner of Mysore since October 1924, said that 97 out of 142 acting vacancies went to Brahmins and 9 out of 11 permanent vacancies also went to that community. While such was the case, he appealed to the Dewan to consider whether the resolution was not in order, more especially as there were highly qualified candidates among the Non-Brahmins anxiously waiting to join Government service.

THE THIRD MEMBER OF COUNCIL replied that the figures quoted by Mr. Malliah were misleading as temporary vacancies occurring from time to time were often given to the same persons, but in compiling the figures these were shown as separate appointments, so that it looked at first sight that many appointments went to one particular community.

MR. MALLIAH observed that the idea underlying the order on the Miller Committee Report was that no appointments should be given to Brahmins until the proportion of 50 per cent was reached among the Non-Brahmins. In these circumstances, he considered that it was only just to give effect to that order in its entirety.

THE DEWAN replied that it was equally just that no community should be altogether kept out from the service of the State.

THE THIRD MEMBER OF COUNCIL added that the percentage fixed in the past in favour of backward communities was raised by the recent order from 50 to 66 per cent which was more favourable.

MR. MALLIAH then referred to the arbitrary manner in which the minimum qualifications for particular appointments were fixed. For even very small appointments he said that high University qualifications were insisted upon. He was of opinion that person with high University degrees could not be expected to serve with any amount of satisfaction and contentment in small places.

He also pointed out that the original order had been discussed in the Assembly before it was given effect to and that it should not have been modified before the expiry of the seven years' period, and before an opportunity had been given to the two Constitutional Assemblies to express an opinion thereon. He therefore appealed to the Government to hold the new order in abeyance, and accept the resolution before the House.

MR. G. PARAMASIVIAH pointed out that in spite of strict orders to the appointing officers to see that 50 per cent was reached in the course of 7 years, only 35 per cent of the appointments had gone to the backward communities during the past six years and all the rest were given to Brahmin applicants. At such a time, he did not think it proper to go against the spirit of the order on the Miller Committee Report and say that only 75 per cent of the vacancies should go to the Non-Brahmins instead of all of them. How was it likely, he asked, that four appointments carrying the same salaries in the same grade would fall vacant at one and the same time ? It was his opinion, as a member of the Central Recruitment Board, that if any order was unworkable it was the new order, not the old. Which one of the four vacancies arising would go to the Brahmin applicant? Is it the one carrying the highest or the lowest pay ? If it was the latter, he had not much objection, but if it was the former, it was a position to which no member of the Assembly could agree.

Speaking about efficiency, he did not consider that it depended solely on the passing of University examinations. He instanced the cases of several eminent persons who did not possess University degrees but yet made a mark and

won everlasting fame. He did not also consider that University education was the only criterion of ability for work and sympathy for the masses. He was prepared to withdraw his objection to the new order, if it would be ruled that the three posts to go to Non-Brahmins out of every four falling vacant should carry better salaries than the fourth one which was to be filled up by merit.

THE DEWAN suggested that it was better to wait and see how the new order was going to work and he expressed a hope that the Brahmins would in every manner co-operate with the others in working it. He was anxious that the present dissatisfaction should disappear and that once more all communities should unite and work together for the common good of the State.

MR. PARAMASIVIAH'S only point was why Government themselves took the initiative before any complaint was made, and before the minimum of 50 per cent limit was reached. He was of opinion that if the original order had been given effect to in the right spirit, this limit should have been reached in four years. He thought that there were self-evident difficulties in the way of working the old order and that the new order would never result in the realization of the intentions of the Government.

THE DEWAN observed that there was no need to get excited over the situation, and after all, if a few more appointments went to any particular community the interests of the other communities were not going to be jeopardised. Government were intent upon doing their best to satisfy all, but to attempt to do that all at once was to attempt the impossible.

MR. Z. JOHN, in opposing the resolution, observed that Government service was not the profession of Non-Brahmins, and that it was not worth while alienating the sympathies of the Brahmin community for the sake of a few appointments. He did not think that the Representative Assembly was the place for fighting over the question. The effects of the order on the Miller Committee's Report, he thought, had already been sufficiently realized by all, and that it deserved to go sooner or later. Before that was done it was more graceful in his opinion for all the communities to re-establish their cordial relationship and work together for the common good of all.

MR. H. C. DASAPPA observed that inequalities in representation were not the sign of a healthy state of affairs and that the order on the Miller Committee Report was designed

to remove such inequalities. In his opinion, whichever community was in the majority naturally deserved to hold a larger number of appointments, and if it was otherwise it surely indicated that there was something radically wrong somewhere. He thought that the efficiency of the service should be maintained by honesty, sympathy, a certain amount of education, good physique, and above all, patriotism and that mere academical qualification was not the criterion of efficiency. He feared that the effect of the new order would be to bring up the bogie of efficiency and give more places to members of one particular community. He did not think that there was any necessity to guarantee at the present stage 33⅓ per cent of appointments to Brahmin applicants.

THE DEWAN replied that this percentage represented appointments to be filled up by merit. It did not amount to a guarantee in favour of the Brahmin community because the Non-Brahmins were not going to remain backward for ever. If at all there was a guarantee, it was in favour of the Non-Brahmins to the extent of over 66 per cent.

MR. DASAPPA then referred to a particular clerical appointment carrying a small pay in the Mysore District Board Office for which applications from only double graduates were called for, and said that such a state of affairs was anything but hopeful.

THE THIRD MEMBER OF COUNCIL replied that for the appointment referred to, a law graduate was required.

THE DEWAN stated that it would work as a real hardship to the Brahmin graduates if they were kept out consistently, while in the meanwhile those from other communities were alone appointed. That was why, he said that the new order laid down that one in every four vacancies might go to Brahmins, while all the rest went to others. He hoped that the Brahmin community would take this order in the right spirit. If, in the opinion of the other communities, it really worked prejudicially, it was open to them to discuss the matter again at the next session of the Assembly.

MR. DASAPPA was at a loss to know why the order was revised before the expiry of the time limit prescribed in the first order.

THE DEWAN replied that it was open to Government, if circumstances necessitated a departure from a policy, to alter the rules.

MR. D. S. MALLAPPA who spoke next remarked that in the hope that at least 50 per cent of the appointments

would be given to duly qualified members of the backward communities, many public-spirited gentlemen had constructed many a school and hostel at considerable expenditure and sacrifice.

He was of opinion that in any case, the new order had created a sense of dissatisfaction and disappointment in the minds of many. If the intention was to help the Non-Brahmin communities he considered that in case a duly qualified candidate from those communities was not available readily, the appointment should be kept open until one came forward.

THE DEWAN replied that orders to this effect would issue in the case of permanent vacancies.

MR. MALLAPPA next complained that the minimum qualifications prescribed for certain appointments were purposely kept unduly high as in the case of the Sheikdari appointments for which applications were called for some time ago.

THE THIRD MEMBER OF COUNCIL replied that the Sheikdars appointed under that scheme were intended to go up to the Amildari, for which high qualification was necessary.

MR. MALLAPPA observed that this was not made clear at the time in which case many Non-Brahmin candidates would have offered themselves.

Continuing, he appealed to the Government to place the interests of the masses in the forefront and not be influenced by those in service, who belonged to the minority community

He regretted that the intentions of Government were not notified to the public before issuing the recent order, and that even the representatives of the people were not consulted. He drew the attention of the Dewan to the fact that before the original order was passed, proposals were called for from a duly constituted committee, and said that the same thing should have been done if any modification was considered necessary. He was therefore of opinion that until this was done and till the seven years' period had expired the new order should be held in abeyance and that the percentage of appointments to go to Non-Brahmin candidates should be increased to 75 per cent as prayed for in the resolution.

MR. H. B. GUNDAPPA was of opinion that Government had, in passing the order under reference without consulting the two constitutional bodies in the State, ignored their rights and privileges.

THE DEWAN replied that it was not incumbent on Government to take the opinion of the Assembly in every matter pertaining to the administration.

MR. H. B. GUNDAPPA argued that the question of amending the Government Order on the Miller Committee involved a constitutional issue and that their action in issuing a revised order on the subject was *ultra vires*.

In regard to the observations of the Third Member of Council that the representation of the Non-Brahmin community in the public services had gone up from 50 to 66 per cent, MR. GUNDAPPA remarked that the issue of a revised order at this stage had created a suspicion in the minds of the members that it was meant to prevent any further increase in the percentage. He thought that it was a great handicap to the backward communities that the appointing authorities happened to be the Brahmin officers in most of the cases.

In this connection MR. GUNDAPPA brought to notice the tendency on the part of certain officers to unduly raise the qualifications required for clerkships under the ostensible plea of raising the efficiency but with the ulterior motive of providing for a Brahmin candidate to the exclusion of the Non-Brahmin. He instanced the appointments advertised in the gazette for the Excise Commissioner's Office and the District Board Office at Mysore for which applications from law graduates were invited.

MR. B. NARASINGA RAO pointed out that the District Board which was reconstituted consisted of members who were wanting in experience and as such it was desirable to have a law graduate to work up the cases.

MR. H. B. GUNDAPPA contended that efficiency was a relative term and that it was impossible to set a standard for it. He therefore deprecated the accusation of inefficiency attributed to the Non-Brahmin candidates.

THE DEWAN made it clear that there was no such impression on the part of Government and that their policy was always to recognise special merit wherever it was to be found.

MR. ABDUL KHUDDUS was the next speaker. He pointed out that the Non-Brahmin members of the Assembly were very loud in their clamour for the loaves and fishes of office while the Brahmin members had observed a studied silence. As between them he did not know what fate certain non-Hindu communities like the Mussalmans would share. He pointed out that Government should not ignore the

interests of the minority communities. At the same time, he cautioned Government against encouraging diversity of interests in the State and warned the Assembly against fettering the hands of Government in administrative matters but to concentrate their attention on the more important problems affecting the general prosperity of the State. He appealed to them to adopt the policy of 'live and let live.'

MR. K. T. SESHAIYA said that the attitude of the Brahmin members in this matter was one of strict neutrality as they had the fullest confidence in the sense of equity of Government.

MR. PUTTASWAMI who followed said that just as there was a legitimate demand for the Indianisation of the services in the Imperial Assembly, in Mysore there was the cry for throwing open the appointments to the Non-Brahmins who formed 96 per cent of the total population of the State. The trouble in his opinion was that the higher officers were all Brahmins who naturally favoured the Brahmins.

MESSRS. M. S. LINGE GOWDA, BASAPPA and VENKATAPPA also spoke at length in support of the resolution. They also added that there was no conflict of interest among the various communities of the Non-Brahmins as apprehended by Mr. Abdul Khuddus and that there was perfect harmony and concord between the Hindus and the Muslims.

Referring to the claim of the backward classes on the ground that they formed the vast majority of the population, THE DEWAN observed that logically it was the minority communities that required protection more than the majority. The Dewan made it clear that it would not be possible for Government to accept the resolution as it went behind the Government Order of 1921 in requiring to raise the percentage to 75. According to the revised order, he pointed out that there was every chance for the Non-Brahmin candidate to secure 3 out of every 4 vacancies besides also competing for the fourth vacancy reserved for the best available talent in Mysore irrespective of community.

MR. G. K. BALIJA regretted that the Miller Committee Order which was passed after a good deal of deliberation during a former regime with a view to satisfy the legitimate aspirations of the people and which had been working so far without creating any discontent to anybody was revised abruptly by a stroke of the pen by the executive authority without the least reference of the question to the representatives of the Assembly who were directly instrumental in its

issue. The Non-Brahmins, he said, had to work against odds before they could attain any progress. The condition of primary education was very defective, the scheme of scholarship did not go far enough to help the poor raiyat and in spite of all these shortcomings, the Non-Brahmins were fast coming up. At such a nick of time, he said, the withdrawal of the old order was not called for.

MR. B. S. RANOJI RAO was for keeping the new order in abeyance.

At this stage the Assembly rose for lunch and re-assembled at 3-30 P.M.

MESSRS. VEMA REDDY, B. LINGE GOWDA and DYAVE GOWDA supported the resolution and appealed to Government to hold the new order in abeyance and to allow the previous one to run its full course as it had not created any discontent or disparity in the proportion of representation, that the fear of a probable fall of efficiency was unfounded and that more than mere academical degree it was the patriotic motive that would tend to improve the efficiency of the service.

DHARMAPRAKASA D. BANUMIAH represented that for the first time in the annals of the history 4 members of the Kunchitigar community had taken the B.A. degree and prayed that they might be provided with appointments in the Government service.

MR. S. N. M. RAZVI was of the opinion that from a national point of view it was wrong to fix any proportion for communal representation in service. He explained the fact that the economic condition of the State was not going to improve as a result of the major communities securing a greater number of appointments, but that if there should be economic salvation, the people should develop the trade and industries. He advised the members of the Assembly not to fight on minor points but to work for national cause.

MR. MD. ABBAS KHAN represented that the order on the Miller Committee Report was passed with the main object of widening the scope for the Non-Brahmins to enter the public service, that para 6 of that order made it clear that till the representation of Non-Brahmins came up to 50 per cent, no Brahmin candidate should be employed and that if the rules had been strictly enforced, the goal aimed at by the order could have been achieved long ago. He also

referred to a round table conference convened during the time of Sir Albion Banerji with a view to fixing the proportion in the ratio of 3:1 and stated that the conference came to the conclusion that in the best interests of the State, the order should be left undisturbed.

In view of the above facts, he prayed that the new order might be kept in abeyance for the next 11 months, *i.e.*, till the end of May 1927 and that the question of revising the old order considered in proper time.

THE DEWAN replied that the revised order would be tried till the next October session and suitable amendments made if found necessary in the light of the experience gained in its working.

As the mover pressed the resolution to a division it was put to vote and passed by a majority.

Resolution No. 26.

MR. K. T. BHASHYAM IYENGAR moved the following resolution:—

"That in view of the complicated nature of the Hindu Law, the conflicting decisions of judicial tribunals, the antiquated principles of inheritance, rights of women and the like and the desirability of reforming and codifying Hindu Law, this Assembly recommends to the Government of His Highness the Maharaja, that a committee consisting of officials and non-officials be constituted to take evidence from leading citizens of the State, to gather enlightened public opinion and to report thereon with their own suggestions."

In doing so he said that the resolution could be divided into two parts, *viz.*, (*i*) the appointment of a mixed committee of officials and non-officials to gather public opinion and report in what respects modifications were necessary to the law as at present administered and (*ii*) taking legislative action to codify the law on the lines of the report submitted by them. The code on Hindu Law, he said, was framed centuries back to suit the then existing conditions of society and was not quite helpful to the people of the present day. The laws of the country should be modified to suit the requirements of the changing conditions of the society. Changes were effected in recent years in Germany, United States of America and other places on matters of law with this object in view. He pointed out that in respect of adoption, claim of women to property, claim of the blind to inheritance, son's obligation to pay the debts contracted by his parent, etc., the Hindu

Law was very defective and the decisions of various courts based upon it were conflicting. It was not quite possible to trace the correct law as laid down in a number of ancient books and the later commentaries on them made the position still worse.

He quoted the following views of Lord Halsbury and Sir James Stephenson in the matter:—

"Whatever the form of Government may be, the desire to have justice and to know what the State considers justice, is essential to civilisation."

"Well designed legislation is the only possible remedy against quibbles and chicanery. All the evils dreaded by legal practitioners can be averted in this manner and in no other."

They also said that the wide discretion at present exercised by the courts in interpreting uncodified law had only the effect of "putting out the fire by pouring oil over it."

The speaker went on to say that Hindu Law could only be ascertained from the scattered bits given in various ancient books. Manu was the original law-giver but many of the practices mentioned by him and the laws relating thereto had long been given up. Various other law-givers that followed prescribed the law for a particular tract which did not apply to any other tract. In this, he said that Mysore was fortunate in having only the Mitakshara law applicable to it, and that the inconvenience experienced by the Government of India in attempting to codify the law did not apply to Mysore as the public opinion here would be easily gathered.

He thought that there was no use waiting till the Government of India moved in the matter. He was doubtful if the Government of India would at all take any action as the people might resent their interference in respect of laws based on Hindu Shastras. But he said that there was no such difficulty in the State.

The Law Associations and the Judges were of the opinion that codification was necessary and that the country as a whole would benefit by it. It was therefore very desirable to take action as indicated in the resolution. With these observations he commended the resolution for the acceptance of the House.

MR. B. S. RANOJI RAO seconded the resolution.

THE LAW SECRETARY observed that the laws based on Vedas and Shastras were not quite so easy to be codified as was imagined. Even in Western countries, he said that laws

could be codified only if the whole country agreed to it. The Judges administered justice according to case law. In Mysore it was very difficult to get unanimous approval on any one point. What might be good in the interests of one community might not be so in the interests of another. Besides he thought that it was difficult to get the opinion of all the communities.

On a similar motion brought forward by Dr. Gour, in the Imperial Legislative Council, he said that it was considered desirable to move cautiously in the matter. He quoted the following opinion expressed on behalf of the Government:—

"The whole object is that this question should receive the attention of the House and the Government. Now what is proposed to be done on behalf of Government is that we shall address the Local Governments, High Courts, Learned Bodies, Bar Libraries and Legal Associations and ask them to advise us as to whether in the first place time has arrived and whether a serious organised effort should be made to codify the whole Hindu Law and if so on what lines to proceed."

Such being the case, he was doubtful whether time had come for any action to be taken in the matter in Mysore.

MR. BHASHYAM replied that it was not a day too soon to take action in the matter. In his opinion there was much difference between the Government of India and the Mysore State. The former belonged to a foreign nation. Their religion was different and in the Queen's Proclamation, it had been made perfectly clear that they would remain neutral in religious matters. As the Hindu Law was based on Vedas and Shastras, any interference on their part in respect thereof would be misunderstood by the people. The Mysore State was not suffering under any such disabilities. The laws in respect of widows' estates, rights and claims of women in respect of properties, adoption, etc., were the same to all communities and any modification in the law in respect of these matters would benefit all the communities equally. He once again emphasised the fact that in respect of adoption, the Hindu Law was very defective. Under the existing law, no orphan could be adopted. In his opinion, if there was any person eligible for adoption, it was the orphan and that the rules enunciated in the ancient Shastras were not quite in harmony with the modern ideas of equity, justice and good conscience.

Quoting from the Dewan's Address wherein it was stated " A large and eager world is watching our work here and looking for encouragement according as we do well or ill . . . . ." he thought that there was no better opportunity for the State to show to the whole world that Mysore was a progressive State than by making an earnest effort to codify the Hindu Law to suit the changed conditions of the present day.

He also informed the House that there was a demand even in England to codify the Hindu Law as was evident from recent Parliamentary Proceedings.

MR. H. B. GUNDAPPA who spoke next said that Mysore was copying the law as administered by British Officers who knew nothing of Vedas and Shastras. He thought that in the matter of Hindu Law, the decisions of the Privy Council constituted the Veda, which ought not to be. He therefore supported the resolution.

MR. B. NARASINGA RAO in further supporting the resolution observed that in certain respects the Hindu Law required modification; that a committee might be appointed for the purpose of collecting information and that at least the law in respect of points on which there was unanimous public opinion might be codified.

THE THIRD MEMBER OF COUNCIL was of opinion that the Law Associations might appoint a committee, issue a report and submit the same to Government.

MR. B. NARASINGA RAO thought that it was not necessary and that, on the other hand, the heads of the several communities might be constituted into a committee and requested to submit their views.

At this stage, the resolution was put to vote and unanimously passed.

Representations. *(continued)*

No. 6.—Assignment of Soppinabetta.

Mr. Nadig Bhaskar Rao, Sorab.

As Mr. Bhaskar Rao was absent, MR. BASAPPA GOWDA represented that as the assignment of Soppinabetta for gardens was not sufficient, it might be fixed in the ratio of 1:10.

THE DEWAN observed that it was not possible to accept the above ratio but that the area would be increased to the extent possible.

No. 7.—Permitting competent Patels and Shanbhogues to be in charge of more than one village or firka.

Messrs. A. N. Venkoba Rao, Kumsi, B. Venkatagiriappa, Sagar.

MR. VENKOBA RAO represented that Baravardar Patels and Shanbhogues who were competent to look after the duties of two or more firkas might be permitted to be in charge of more than one village or firka instead of being compelled to resign their *hak* in favour of their next of kin.

MR. LAKSHMINARANAPPA supported the representation.

MR. VEMA REDDY said that, as far as he was aware, there was no rule to the contrary.

MR. M. C. LINGE GOWDA was opposed to the principle of combining firkas and placing them under the charge of one man.

THE THIRD MEMBER OF COUNCIL observed that it depended upon the local conditions and that the matter should be left to the discretion of the Deputy Commissioners to decide.

No. 8.—Anes.

Messrs. O. Chennabasappa and V. Rudrappa, Arsikere Taluk.

MR. CHENNABASAPPA represented that the order issued by Government in respect of removing all the *anes* would seriously deteriorate the cocoanut gardens and other lands and that as their construction would not cause any loss to Government, the order might be cancelled. He said that the object of the *ane* was not to obstruct the passage of water, but to stop the soft soil, manure, etc., from being carried away to the tanks by the running water.

MR. M. NANJAPPA of Kantarajpur said that one of the reasons for the tanks getting silted up was that there were no *anes* in the various water-ways. In his opinion, both in the interests of the tank as well as the gardens, *anes* were very necessary.

MR. K. SESHACHAR, Special Officer, Krishnarajasagara Works, said that as a result of *anes* being put up in several places, the tanks had not been getting their usual supply of water and that Government were losing much of their revenue in consequence.

MESSRS. G. PARAMASIVIAH and D. S. MALLAPPA said that small *anes* were not intended to obstruct the passage of water, but to keep the soil intact without finding its way into the tank. In that view, they thought that Government should not object to the construction of *anes*.

THE THIRD MEMBER OF COUNCIL observed that

people began with a small *ane* in the first instance and went on enlarging it and that he had seen some of them which were much stronger than those put up by the Public Works Department. It was with a view to avoid such things that the Government order under reference was passed.

MR. SIDDALINGA DEVARU said that it was usual with the raiyats to loosen the soil just before the rains in order to preserve the ammonia in the earth and that *anes* were put to prevent the loose soil from being carried away lower down.

THE DEWAN observed that there would be no objection if the *anes* were not higher than the surrounding ground level.

No. 9.—Potgi of Village Officers.

Messrs. A. Narayan Iyengar, Hassan Taluk; Joganna Gowda, Narasimhe Gowda, Manjaiya, Channarayapatna.

MR. NARAYANA IYENGAR represented that as the work of the village officers was increasing day by day, the potgi given to them might be increased by at least 1 per cent. He also added that as a result of high prices of foodstuffs, these officers were unable to make both ends meet. As they were the backbone of the administration, he thought that it was the duty of the Government to give them some encouragement.

Many other members supported the representation.

MR. LAKSHMINARANAPPA added that as a result of the introduction of the Village Panchayat scheme, the potgi of these officers would be reduced still further and that it was therefore necessary to increase potgi to them.

MR. SURYANARANAPPA added that in certain villages the thoties and talwars were getting more income than the potgi of village officers.

MR. H. B. GUNDAPPA in opposing the representation said that Shanbhogues and Patels were very powerful in the village, that they owned very fertile lands and earned money in very many ways. He suggested that instead of potgi they might be given permanent pay.

Another member who was a Patel said that as the post was an honorary one, it was not right on the part of the Patels or Shanbhogues to lay claim for any enhanced potgi.

THE DEWAN said that it was not possible to increase the potgi.

No. 10.—Abolition of additional assessment for hot weather supply.

Messrs. M. C. Linge Gowda, S. C. Malliah and Linge Gowda, Mandya.

MR. M. C. LINGE GOWDA represented that the levy of additional assessment of Rs. 2 per acre for hot weather supply under channels for raising green and manurial crops be abolished. Water would be wanted by the raiyats in March. At times rains set in by then and no water from the channels would be utilised. Even under such circumstances, the assessment was levied and that worked as a great hardship on the raiyats. As the assessment had been increased in the re-survey, this additional assessment might be abolished.

MR. S. C. MALLIAH said that as water was wanted for growing manurial crops, no assessment should be levied. Originally, he said that water was being supplied free for the purpose and he was not aware why the additional assessment was imposed. He requested that the old concession might be revived.

MR. K. R. SESHACHAR, Special Officer, Krishnarajasagara Works, observed that even now water was being supplied free for *mamul* areas.

MR. B. NARASINGA RAO said that the raiyats wanted water only for sowing the manurial crop without which the land yielded nothing and that the request was reasonable.

MR. C. NARASIMHAIYA said that instead of the Government purchasing chemical manure and supplying it to the raiyats, free supply of water might be given to them to grow crops useful for purposes of manure.

THE THIRD MEMBER OF COUNCIL observed that the raiyats should not grudge to pay Rs. 2 per acre as assessment, if, by doing so, they raised better crops.

MR. T. S. SUBBA RAO requested that the same concessions might be extended to the lands on the upper channel also.

MR. P. SITARAMAIYA explained how, when a notice was issued on an absentee landlord, the inconvenience was caused to the raiyats actually cultivating the land.

It was also represented that the supply of water in the hot weather would to a certain extent prevent the breaking out of cholera and other epidemic diseases.

MR. K. R. SESHACHAR pointed out that a charge of Re. 1 was made for the supply of water from the Kapila, while in the case of Krishnarajasagara a charge of Rs. 2 was made. By supplying water free of charge, Government stood to lose nearly Rs. 30,000. He asked whether the water impounded at such an enormous cost in the Krishnarajasagara could be given away free putting the general taxpayer to a heavy loss.

MR. SIDDALINGA DEVARU requested that at least the rate might be reduced from Rs. 2 to Re. 1 per acre.

MR. M. S. LINGE GOWDA and several others spoke against the representation.

THE DEWAN replied that Government could not accept the representation.

No 11—Charges for clearing weeds in channels.

Mr. M. Subbaiya, Seringapatam.

MR. SUBBAIYA represented that the raiyats might be exempted from the duty of clearing weeds in channels or paying the cost of the same as it was the duty of the Government to keep the channels in proper order and supply water to the lands.

MR. PUTTASWAMI supported the representation.

MR. K. R. SESHACHAR observed that the repairs to branch channels and clearing of weeds was being done by the raiyats themselves. As it was not being done in recent years, water was not reaching the tail end of the channels. It was therefore proposed to do the work departmentally levying a cess from the raiyats.

MR. BANDAIYA and a large number of other members from the Mysore District said that the raiyats were already paying very many cesses and, that they should be exempted from the duty of clearing weeds in the channels.

MR. T. S. SUBBA RAO said that if the silt-clearing work was regularly attended to by the Government, there would be no need to undertake the weed-clearing work.

THE DEWAN replied that the matter was under the consideration of the Irrigation Bill Committee.

No 12.—Amarai sales.

Mr. Mahomed Hussain Saheb, Hunsur Taluk.

MR. MAHOMED HUSSAIN SAHEB represented that amarai sales of the following items might be held by the Deputy Commissioner along with the sale of minor forest produce:—

Hunse.	Nerale.
Mavu.	Halasu.
Seege.	Jala.
Cocoanut.	Byala.
Hippe.	Honge seeds.

MR. VEMA REDDY brought to the notice of the Dewan that even the trees planted in front of houses in Kunigal for purposes of beautification were included in amarai sales and represented that such a practice should be put an end to.

THE THIRD MEMBER OF COUNCIL said that in such cases the Deputy Commissioner should be appealed to.

MESSRS. APPAJI GOWDA, RANGASWAMI IYENGAR and others also spoke in support of the representation.

It was also represented that the practice of auctioning amarai from trees planted by private people on Government land should be given up.

The representation was noted for consideration.

No. 14—Abolition of the Irrigation Cess.

(*a*) Messrs. G. N. Lakshminarayana Reddy, Chikballapur Taluk, and Venkataswami Gowda, Goribidnur Taluk.

(*b*) Messrs. Veeregowda and Hanume Gowda, Dodballapur Taluk.

MR. LAKSHMINARAYANA REDDY represented that (*a*) the Irrigation Cess be abolished as the raiyats had been put to considerable hardship on account of enhanced assessment of wet lands and (*b*) the levy of cess might be abolished on wet and bagayet lands where crops were raised with the help of well or rain water. Referring to the Kolar District, he said that on representations made the cess had been abolished in all the taluks except Goribidnur and Chikballapur, and requested that (*i*) those two taluks also might be exempted from the payment of the cess, and (*ii*) that the amount till now paid by them should either be returned to them or used for tank works in those two taluks only.

Another member said that Irrigation Cess was intended to be levied only from inamti lands and so it was not right to levy it on wet lands for which assessment was being paid.

MR. KRISHNAMURTHIACHAR of Mulbagal said that as Irrigation Cess had already been included in the enhanced rates brought into effect under the recent re-settlement, the cess should not be levied from them.

MR. VEMA REDDY said that the people of Kolar had to pay very many cesses and it was wrong to add the Irrigation Cess also, more especially as the district was very poor and there were no sources of water supply in it.

THE DEWAN observed that the Railway Cess had been reduced in the Kolar District, to which MR. VEMA REDDY replied that if the Railway Cess was slightly reduced, other taxes had been enhanced in other ways.

The representation was noted.

No. 30.—Increase of grant for repairs to Muzrai institutions.

Mr C. Pattabhiramasetty, Chiknayakanhalli Urban.

MR. PATTABHIRAMASETTY represented that there were

many big important Muzrai institutions in the State, that it was not possible for the people to maintain them in good repairs and that it was therefore necessary to increase the Budget grant. As an example he said that Sree Prasanna Rameswara Temple at Chiknayakanhalli which had been built at a very heavy cost was in need of repairs.

The representation was noted for consideration.

No. 40.—Formation of a committee for selection of Bench Magistrates.

Messrs. M. C. Linge Gowda, S C. Malliah and Linge Gowda *alias* Anne Gowda, Mandya Taluk.

MR. S. C. MALLIAH prayed that a committee consisting of non-officials other than Bench Magistrates and selected from the various taluks of the district be appointed to help the District Magistrates in selecting persons to serve as Honorary Bench Magistrates in taluk headquarters. He also said that such a system was in vogue in Central Provinces and it might be tried in the State also. He was of opinion that at present deserving persons were not being selected to the post of Bench Magistrates and that the Deputy Commissioners were led by the report of the Amildars.

THE DEWAN observed that the practice in vogue in Central Provinces referred to by the mover would be ascertained.

At this stage, the meeting terminated to meet again the next day at 8 A.M.